

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Cayeula et al. Confirmation No.: 5142  
 Appln No.: 09/856,969 Group No.: 1645  
 Filed: August 1, 2001 Examiner: Jana A. Hines  
 For: SELECTION AND USES OF LACTIC ACID BACTERIA STRAINS  
 MODULATING NON-SPECIFIC IMMUNITY

Mail Stop RCE  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

## PETITION AND FEE FOR EXTENSION OF TIME 37 C.F.R. § 1.136(a)

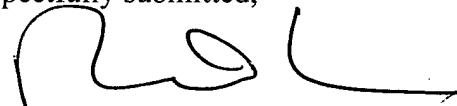
1. This is a petition for an extension of time for a total period of five months to respond to the Office Action dated December 11, 2004.
2. Applicant is  a small entity;  other than a small entity.
3. Calculation of extension fee (37 C.F.R. § 1.17(a)(1)-(a)(5)):

<u>Total Months Requested</u>	<u>Fee for Other Than Small Entity</u>
Five months	\$2,160.00

\*Cannot be used to exceed six-month statutory limit for response to an Official Action.

- A check in the amount of \$2,160.00 is enclosed.
- Charge Deposit Account No. 16-0605 for the extension fee.
- Charge Deposit Account No. 16-0605 for any fee deficiency.

Respectfully submitted,



Raymond O. Linker, Jr.  
 Registration No. 26,419

12/21/2004 KBETEMA1 00000078 09856969

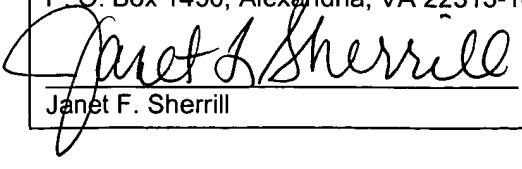
01 FC:1255

2160.00 OP

Customer No. 00826  
**ALSTON & BIRD LLP**  
 Bank of America Plaza  
 101 South Tryon Street, Suite 4000  
 Charlotte, NC 28280-4000  
 Tel Charlotte Office (704) 444-1000  
 Fax Charlotte Office (704) 444-1111

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on December 17, 2004.

  
 Janet F. Sherrill